

TESTIMONY OF THE
CONNECTICUT COALITION
FOR **JUSTICE**
IN EDUCATION FUNDING
TO THE
EDUCATION COMMITTEE

March 15, 2010

The Connecticut Coalition for Justice in Education Funding appreciates this opportunity to submit written comments pertaining to various bills raised before the Education Committee during this short legislative session.

SB 438 — An Act Concerning Charter Schools and Open Choice Program Funding.

At issue is the proposed removal, in Section 1(a), line 4, of the phrase “within available appropriations.” Even assuming that the removal of this caveat would have no practical effect on present or future appropriations for charter schools — inasmuch as responsible budgeting requires that expenditures always be made within available appropriations — the symbolic “in your face” quality of removing this phrase reeks of special-interest legislation. The removal of the clause would be seriously unfair to every other educational program and all governmental and nongovernmental programs that steadfastly serve the common good of the people of Connecticut and which almost annually must come before this legislature to seek funding for the maintenance, even the sheer continued existence, of programs that deliver vital services to huge segments of this state’s population. All these programs and agencies are subject to “available appropriations.” Charter school funding or expansion should not be treated any differently. Nor should hopes for scoring all 40 points pertaining to charter schools, out of a maximum total of 500 points, on the state’s next ARRA/Race to the Top application be allowed to dictate preferential treatment for these schools above all other appropriations or policy proposals now before the legislature.

With reference to Section 3(g), beginning on line 264, the proposed increases in state grants to receiving districts for Open Choice students is a major step forward in easing the fiscal burden on receiving districts. Nevertheless, even the proposed \$2500, \$6000, and \$9000 levels fall short of funding all the essential support services that the receiving districts necessarily muster to appropriately accommodate the extra learning needs of most Open Choice students.

HB 5487 — An Act Concerning the Open Choice Program.

A \$3000 state grant to receiving districts for each Open Choice student is clearly better than the current \$2500. However, in terms of the actual educational costs incurred by receiving districts,

the \$500 difference is of minimal significance. The funding levels contained in SB 438 would go much farther in helping to ease the cost to receiving districts and are therefore much more likely to result in the voluntary opening of additional Open Choice slots in suburban districts.

HB 5489 — An Act Concerning Secondary School Reform.

The increased high school graduation requirements proposed in this bill should all be made contingent on the state's provision of adequate and equitable funding for its public schools, not merely on any hoped-for receipt of ARRA/Race to the Top or other federal or private-sector funding. Indeed, the state's recent unsuccessful application would not have resulted in sufficient funding to accomplish all that was committed to in that application — and it certainly would not have made much impact in overcoming the many years of gross underfunding that has ravaged our most struggling school districts (unless, of course, privatization of “failing” districts and/or their schools was the implicit goal).

HB 5490 — An Act Concerning the Minimum Budget Requirement.

With reference to Sec. 1(d), lines 38-43, it is not possible to estimate the potential impact on school districts of the proposed MBR reduction inasmuch as the Department of Education's website has not been updated to provide relevant enrollment data for FY09, let alone for FY10. (The same time lag pertains to other education data that are important to transparency of government and have heretofore routinely been provided on its website in a relatively timely fashion, including essential fiscal information.) Nor has the Department ever made available data showing which municipalities retained a portion of ECS aid before passing on the funds to their districts, and in what amounts and percentages, subsequent to the passage of Public Act 09-1. Until all such data are made publicly available by the Department, no further action should be taken on this bill.

That nearly all Connecticut communities are now “fiscally stressed” is a given. That cities and towns seek this rather modest measure of relief from the MBR for FY10 and FY11 can thus be well understood in these tough budget times. Yet to lessen local contributions for municipalities whose school districts are the most academically challenged and resource-starved — thanks to the state's decades-long failure to adequately and equitably fund the public schools — seems fundamentally counterproductive. A fair solution: The state should make up the difference in lost local aid due to MBR relief for all those school districts, including Priority Districts and others, who have one or more schools listed as being “In Need of Improvement” on the state's most recent NCLB report.

HB 5491 — An Act Concerning Certain School District Reforms To Reduce the Achievement Gap in Connecticut.

Given the extensive length of this bill and the number of different provisions it includes, comments here will only highlight those sections that were found to be the most objectionable:

- Sec. 1(g)(1-4), lines 152-201 — Most parents are unlikely to have an informed grasp of the technical details or fiscal ramifications of whatever intervention model their petition recommends, let alone understand the multitude of other impacts such action would have

on the community's entire educational system operated by the district. Such petitions and their preferred interventions would be highly subject to manipulation by persons or entities with particular axes to grind, charter school vendors, and other outside special-interest forces experienced in grassroots organizing. If such "parent trigger" provisions were to be enacted, 25 schools per year could mean costly new unfunded mandates foisted onto school districts and local taxpayers without the advance planning, budgeting, contractual alignments, and other careful study that routinely go into major changes within school districts. Such changes are very costly, and they need to be done with great care and skillful planning — not under the "gun" of petitions. Rather, parents have any number of other productive routes to civil discourse with school teachers, principals, superintendents, board of education members, and locally elected municipal officials.

- Sec. 5(d-e) and 6, lines 401-03, 425-28, and 445-56: This is another unfunded mandate! And, costs for this new program have not been included in school district budgets for FY11, yet its effective date is shown as July 1, 2010. How many students and at what estimated cost would this credit recovery program operate in FY11 and FY12 within each of the school districts that currently have dropout rates of 8 percent or more per annum? Designating "current staff" to take on the added responsibility of administering and coordinating an online credit recovery program appears to not be feasible within most high needs/high poverty/high dropout districts, inasmuch as budget cuts already have staff wearing too many "hats" and working under tremendous duress. So, either extra pay for current staff or the extra cost of adding new staff need to be included in any cost calculations.
- Sec. 10, beginning at line 530: For at least some school districts, this is another unfunded mandate. Not only are advanced placement courses expensive (high investment in teacher training, specialized materials, the cost of final examinations, etc.), but also many local boards of education have consciously eschewed these programs on publicly debated, carefully weighed pedagogical grounds. (Some of their reasoning: These courses are often the pinnacle of a rigid tracking system; they divert scarce resources and often also the best teachers away from the service of more challenging students; their fast-paced, prescribed breadth of content limits deep, more student-centered learning; and students who take the exam and fail to score well may be at a disadvantage in competitive college admissions.) Requiring that every high school offer an advanced placement course clearly makes this an unfunded mandate for any community that has heretofore balked at such offerings. Moreover, this provision would take effect at the start of FY12, just as the state suffers an anticipated 20 percent budget shortfall, which inevitably will impact municipalities and their school districts.

HB 5492 — An Act Concerning Revisions to the Accountability Statutes.

It is only necessary here to repeat our concern for the gravity of the state's fiscal condition and the increasing austerity and rollback of important services by municipalities and their school districts. Mandating ever higher graduation standards, increased data collection and reporting, new courses, and sterner accountability measures, among other "get-tough-with-schools" legislation being heard by the Committee today — and quite aside from the varying degrees of merit some of these proposals may have — simply cannot stand in the face of ever-declining state support for education.

HB 5493 — An Act Concerning Strategic Planning in State Education Policy and Charter School Funding.

In a nutshell, charter schools are not local or regional boards of education, nor should they necessarily be funded on a parity basis using public tax dollars, given their independently operated status and the explicit assumptions set forth at the time the initial legislation for charter schools came about. At that time, charter founders claimed they could do what the public schools do, only better and cheaper, and that private-sector funding would help keep their costs lower than the urban districts where they intended to locate. Now, some 14 years later, there is no definitive independent research showing that students actually do better in these schools than their district counterparts (nationally, charters do not); and there are growing equity concerns about the nearly all-minority enrollments of many of these schools of choice (do parents not understand what was won in *Brown v. Board of Education*? Separate is inherently unequal, not better!), as well as the few special education students they admit, the total absence of limited-English-proficient students from these schools, and the monthly enrollment churn and/or push-out of lower-achieving students prior to the annual state assessments.

Moreover, from a fiscal perspective, charter schools already enjoy funding that exceeds the average adjusted net current expenditure per pupil of the 11 districts whose students represent over 90 percent of charter enrollments. (From largest charter enrollment to least, these districts are New Haven, Bridgeport, Hartford, Norwich, Stamford, Norwalk, Manchester, New London, Hamden, East Hartford, and Bloomfield.) According to Department of Education data prepared for recent State Board of Education deliberations, the average adjusted NCEP for these 11 districts is \$11,774, as compared with an average of \$12,134 per pupil in the 12 state charters that enroll students from these districts. That charters are able to achieve this level of private-sector support is to be lauded, but also to be expected of any private-sector initiative. Also noteworthy, in a few of these 11 cities in which charters are located, the municipalities have voluntarily made sizeable cash contributions, rented or sold facilities to charter organizations at below-market rates, and made other generous in-kind contributions.

Were the convoluted money-follows-the-child scheme proposed in this bill to be implemented, in principle, those 11 districts would lose \$72.6 million from their ECS grants aid as charter “tuition” for their 4800 students who are enrolled in charters plus an estimated \$9 million or more for “charter debt service”! Assuming that school districts are able to count charter students, that means they pass on the ECS for those 4800 students and suffer an additional \$40 million cut in their remaining ECS funds. (See attached table — but caution! the enrollment figures are based on current enrollments, yet the goal seems to be to increase the number of charter seats and schools, which would result in a precipitous decline of state aid for these school districts and many others.) The full brunt of the costs presumably would not be felt until FY14 (though Sec. 3(c)(4), lines 189-91, contain obvious errors in the dates), with additional state dollars phasing in this enormous local burden.

Again, where are the State Department of Education’s figures that clearly and accurately predict the district-by-district fiscal impact for FY11 and the out-years? Such simulations must also take into account the likelihood that the charter management organization playing field is about to get a whole lot more crowded if this bill and SB 438 are passed into legislation.

In sum, what Raised Bills 5493 and 438 do is to open up the state to unfettered charter school growth and to pass those costs off to traditional school districts and their communities. In lieu of toll booths at our state borders, the state in effect would be putting up billboards saying "Welcome, Charter Management Organizations!"

Unfettered growth of charter schools means the substantial downsizing of urban/urban-ring districts. Unfettered growth of charter schools probably will lead to further exacerbation of the de facto racial and socioeconomic segregation that *Brown* and *Sheff* have tried to remedy. Unfettered growth of charter schools surely also will mean that the academically struggling urban/urban-ring school districts will be relegated to serving only the very poorest and neediest of children, the ones that charters and magnets do not want, just as a recently retired Hartford teacher wrote in yesterday's *Courant* (March 14, Nancy Winterbottom, "Hollowing Out City Schools"). Unfettered growth of charter schools, enabled by this funding scheme, will lead to a significant erosion of the too-little state aid that traditional school districts receive, an erosion that could reach untenable levels for urban/urban-ring districts.

We ask that you kill this bill rather than to support the creation of still another unique funding scheme to add to Connecticut's hodgepodge of flawed school funding statutes, the convoluted sum of which does not constitute a fair, viable, or legally defensible state funding system.

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The Connecticut Coalition for Justice in Education Funding (CCJEF) is a broad-based coalition of municipalities, local boards of education, statewide professional education associations, unions and other pro-education advocacy organizations, parents and Connecticut schoolchildren aged 18 or older, and other concerned taxpayers. Member school communities are home to more than 45 percent of the state's public school children, including some three-fourths of all minority students, those from low-income homes, and students from homes where English is not the primary language.

Charter "Tuition" for 11 Districts Currently Sending the Most Students to Charter Schools

A	B	C	D	E	F	G
Sending District	Kids Enr in Charters	ECS pp allocation	Sending District Receives ECS x Kids (B x C)	NCEP	But Sending District Owes This: NCEP x Charter Kids = "Tuition" (E x B)	Additional ECS "Tuition" Due Charters (F - D)
New Haven	1579	\$7959	\$12,567,261	\$17,091	\$26,986,689	\$14,419,428
Bridgeport	1134	\$7702	\$8,734,068	\$12,635	\$14,328,090	\$5,594,022
Hartford	824	\$8649	\$7,126,776	\$16,202	\$13,350,448	\$6,223,672
Norwich	271	\$5827	\$1,579,117	\$13,336	\$3,614,056	\$2,034,939
Stamford	266	\$533	\$141,778	\$15,928	\$4,236,848	\$4,095,070
Norwalk	203	\$936	\$190,008	\$15,291	\$3,104,073	\$2,914,065
Manchester	144	\$4093	\$589,392	\$13,163	\$1,895,472	\$1,306,080
New London	130	\$6550	\$851,500	\$13,478	\$1,752,140	\$900,640
Hamden	110	\$3300	\$363,000	\$14,005	\$1,540,550	\$1,177,550
East Hartford	66	\$5270	\$347,820	\$11,709	\$772,794	\$424,974
Bloomfield	64	\$2115	\$135,360	\$15,881	\$1,016,384	\$881,024
Total	4791		\$32,626,080		\$72,597,544 plus~\$1900pp as "debt serv"	\$39,971,464

Avg Charter "Tuition" Per Student ((F / B) + \$1900)
\$17,053